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General Assembly

Official Records

Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1451st Meeting
Tuesday, 18 July 1995, 10 a.m.
New York

Acting Chairman: Mr. Bangura ..... (Sierra Leone)

The meeting was called to order at 10.55 a.m.

Report of the Subcommittee on Small Territories, Petitions, Information and Assistance (A/AC.109/L.1829)

Questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, Turks and Caicos Islands and United States Virgin Islands

The Chairman: Members will recall that at our last meeting a number of amendments to the report were proposed and were adopted by the Committee.

The Committee will now proceed to take action on the draft resolutions contained in the report of the Subcommittee.

The Committee will first take action on the consolidated draft resolution relating to the 12 Non-Self-Governing Territories and contained in paragraph 10 of the report of the Subcommittee.

May I take it that the Committee adopts the draft resolution, as orally amended, it being understood that the reservations expressed by members will be reflected in the verbatim records of the meeting?

The consolidated draft resolution, as orally amended, was adopted.

The Chairman: The next draft resolution is contained in paragraph 33 of the report of the Subcommittee and relates to dissemination of information on decolonization. Since the Subcommittee adopted the draft resolution without a vote, may I take it that the Special Committee wishes to do the same?

The draft resolution was adopted.

The Chairman: May I take it that the Committee, having adopted the two draft resolutions contained in the report of the Subcommittee, adopts the report as a whole?

The report of the Subcommittee was adopted.

Report of the Caribbean Regional Seminar

The Chairman: A provisional text, in English, of the report of the Seminar has been distributed to members. Are there any comments on the report?

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I want first of all to thank those who participated in the seminar for their work, and to express my satisfaction that contacts with the representatives of Non-Self-Governing Territories included the discussion of major issues of great significance for the present and future work of the Special Committee. Unfortunately, my delegation did not have the opportunity to participate in this interesting and useful event, but we have given preliminary study to the report of the seminar, which we understand from the text was adopted by consensus.

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This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

As we see it, the report contains much of interest, reflecting the Committee's new and pragmatic approach to its tasks. This is worthy of all support and encouragement, particularly since the seminar's importance is due in large part to its taking place at the mid-point of the Decade and some years before the end of the General Assembly's Plan of Action.

On the whole, my delegation supports the recommendations made at the seminar. There are several elements, however, which require further judicious analysis, in particular paragraph 2 of the seminar's recommendations, which recommends that observer status be extended to the Non-Self-Governing Territories for participation in the official activities of the fiftieth anniversary of the United Nations. This is the first matter which I believe we must consider carefully in order to ensure its legal standing.

In my delegation's view, there is also a contentious statement in paragraph 11 of the recommendations to the effect that limitations of the mandate of the Special Committee inhibit direct communication with the Governments of the Non-Self-Governing Territories. My delegation feels that this is not entirely true, inasmuch as not all Non-Self-Governing Territories wish to participate in our work. Therefore, my delegation feels that it would be better simply to note the fact that there was a lack of attendance of the seminar and to leave it at that, rather than to raise contention.

My delegation also has some reservations as to whether the United Nations Committee on Information can give a mandate to the Department of Public Information. It seems to me that jurists or legal specialists should express their views on the legal basis of such a recommendation.

I also have some doubts concerning recommendation 17. Here again, we ought to consult with our legal specialists since, if our Committee wishes to address this matter seriously, it can hardly concern itself with a bilateral Treaty signed in 1713. This falls much more within the competence of the International Court of Justice than within ours, but in any case it should be examined by qualified legal scholars rather than by us.

The same holds true for recommendation 22, which refers to accreditation of non-governmental organizations from Non-Self-Governing Territories to United Nations bodies. Recommendation 24 also probably requires the addition of a reference to the need for the cooperation of administering Powers in any extensive study on the economic, social and constitutional conditions in each of the remaining Non-Self-Governing Territories.

Since we feel this to be a very important document, we have considered it very carefully in order to ensure that its adoption will strengthen its prestige and lend it greater weight, while making it clear that the Committee is carrying out its tasks skilfully and reducing the likelihood of any of the Committee's recommendations being disputed or rejected by other parties.

On the whole, therefore, while supporting the results and recommendations of the seminar, my delegation would like to see the matters to which I have referred discussed in further detail so that this document fully reflects the Committee's work and, as I have said, corresponds to our task of enhancing the Committee's authority within the United Nations system and to our mandate.

The Chairman: The Russian representative has raised a series of issues relating to recommendations 2, 11, 17, 22 and 24, which he wishes to be further discussed.

At this point, I should probably raise one matter. What we have before us is the report of a Seminar that has been adopted by consensus. I might just advise that, while we should discuss this report in further detail, at the end of the exercise I would want us to adopt the report with whatever reservations have been recorded.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): In the case of the Cuban delegation, urgent work kept us in New York and we were unable to attend the recent seminar in Trinidad and Tobago. We have studied the seminar's report with great attention, and feel that an interesting debate took place there on many issues of significance to the future of the Committee's work.

We consider your clarification of the procedural aspects of this document to be very sound, Mr. Chairman. Indeed, we think that recommendations, questions and observations that members of the Committee wish to raise on the report should be reflected in the verbatim records — not for the purpose of calling the report into question but in order to ensure that we can express our views on it and, thereby, have an opportunity to clear up matters over which there are question marks.

In this regard, the delegation of Cuba has noticed that in the fourth subparagraph of the part that relates to the Special Committee the report says:

(spoke in English)

> "The Special Committee should continue to implement its mandate with greater innovation and flexibility and through pragmatic and practical approaches". *(A/AC.109/2030, para. 15 (e) (iv))*

(spoke in Spanish)

We are aware of the fact that the Committee's immediate objective is to analyse all the questions before it with an innovative and pragmatic mandate. However, we wonder what is the real spirit underlying the term "flexibility". Flexibility relating to whose interests? So far as Cuba is concerned — and we have had many years' experience on this Committee — the members and officers of the Committee have always analysed all matters brought to its attention with impartiality and flexibility so far as the Territories and their representatives, as well as the administering Powers, are concerned. Consequently we think that the term "flexibility" raises some questions. Indeed, we think that it is unnecessary, or at least inappropriate, in this context.

With regard to paragraph 2 of the recommendations, we should like to draw attention to the fact that the Preparatory Committee for the Fiftieth Anniversary of the United Nations is undertaking substantive negotiations regarding the participation of non-governmental organizations in all commemorative activities, in the General Assembly as well as the high-level segment that will take place from 22 to 24 October.

We would like to draw attention to the fact that at the last meeting of the Preparatory Committee the Department of Public Information of the United Nations proposed the holding of a global meeting of non-governmental organizations during the official segment. This proposal was discarded, for substantive procedural reasons with which it would not be appropriate for me to deal on this occasion. However, the Preparatory Committee agreed that there should be a global meeting, with the participation of the non-governmental organizations that have consultative status at the Economic and Social Council, but that such a meeting would take place about 12 or 13 October — that is, outside the high-level commemorative segment.

We are aware of the interest of the non-governmental organizations of the Non-Self-Governing Territories in participating in the activities that will take place during the fiftieth anniversary and of their desire to be informed, and we share that interest, but we think that, with regard to this paragraph, it is necessary to seek the opinion of the secretariat of the Preparatory Committee for the Fiftieth Anniversary of the United Nations, since there are specific decisions regarding the participation of the non-governmental organizations.

We have something to say about paragraph 12 of the recommendations too from a procedural point of view it seems. The Committee on Information of the United Nations has a mandate, in principle, to request the Department of Public Information and the Information Centres to disseminate the necessary information. We think that the mandate of the Committee on Information includes that possibility. But this is just a comment.

With regard to paragraph 17, in which note is taken of Gibraltar's request that the Special Committee consider the relevance of article X of the Treaty of Utrecht, we should like to say that it is obviously necessary to have a legal opinion because Cuba is of the view that the competence to solve this kind of conflict — and it is a question not just of solving controversies but of analysing in depth the relevance of any international treaty — can be found only in an expert body, in this case the International Court of Justice, at the discretion of the parties.

Consequently, as the Committee does not have additional information or knowledge regarding the extent to which the parties concerned would recognize the jurisdiction of the International Court of Justice with regard to a legal analysis of and a legal opinion on this Treaty, we believe that the recommendation is technically invalid. In other words, it is not for this Committee to consider in depth the applicability or relevance of the Treaty of Utrecht.

To avoid overlooking the recommendation of the seminar on the situation we propose that account be taken of the possibility that Cuba's opinion regarding the recommendation be included in the verbatim records, or, in the event that the recommendation is revised, that a more appropriate place be found for it. There is a place in this report in which reference is made to Gibraltar, where it is stated that the relevant resolutions of the General Assembly should be taken into account —

specifically, on page 11, in the section entitled "Options for Self-determination".

The third paragraph says that the future status of Gibraltar should be considered in conformity with General Assembly resolutions. We think that if the Committee wants to report the main aspects dealt with in the seminar, the recommendation regarding the Treaty of Utrecht could be transferred to this part of the report. We believe that this — and not the recommendations section of the report, which, as can be expected, is of a different character and amounts virtually to directives for the work of the Committee — is the most appropriate place.

The other comment that we have on the report concerns the participation of non-governmental organizations that represent the Non-Self-Governing Territories in all United Nations bodies. We should like to draw the Committee's attention to the fact that the meetings of the Special Committee on non-governmental organizations, in which there was a long and arduous discussion regarding the granting to the non-governmental organizations of observer status at the Economic and Social Council, have just concluded. Though we take note again of the interests of the Non-Self-Governing Territories in attending the deliberations of the United Nations, we should like to point out that this recommendation too must be subject to an authorized opinion from the Committee on non-governmental organizations, including the Economic and Social Council, should that be necessary.

Mr. Mwambulukutu (United Republic of Tanzania): As I participated in the seminar that resulted in this report, I did not intend to speak. But having heard the constructive comments and suggestions of the delegations of the Russian Federation and of Cuba, I must say — and my colleagues who were in Port of Spain will support me on this — that the concerns raised by the two delegations, which, I am sure, are shared by many others who did not attend, are similar to the ones expressed by other delegations.

The congenial atmosphere that prevailed at the seminar and the frankness of the discussions held there allowed more latitude to the representatives of those Territories that fall within this Committee's mandate. However, we could not argue as cogently as those two delegations have just done to explain to the uninitiated how the United Nations operates. That is why the report submitted to this Committee is not quite like those of normal United Nations working sessions.

In that light, I should like the members of this Committee to try to understand the views of the Russian and Cuban delegations. Those who attended the seminar will tell you that the same argument came up and that we even tried to change the language to conform to United Nations practice. For instance, the same sentiments were expressed on the question of Gibraltar, as both delegations have stated. It was even suggested that perhaps it was not the Committee's place and that we should get a second, legal opinion, either through the Secretariat or through the International Court of Justice, as was done on the question of nuclear weapons.

With respect to the fiftieth anniversary of the United Nations, we tried to explain that even if we were to raise the question of a commemorative session, we would be time-bound because the decisions had been taken and time was running short. However, some of them insisted, asking if this Committee worked for only the United Nations and saying that they wanted this request to be reflected in the report, no matter how late the hour. The question of the non-governmental organizations as well is stated in exactly the same way.

In my view, the report reflects almost exactly the atmosphere of the seminar. It includes the positive contributions of the Committee and those of the peoples of the Non-Self-Governing Territories. I would suggest, therefore, that in order to make progress, we should take some concrete steps. For instance, the Cuban representative made some concrete suggestions that she believes should be reflected in our final report. How we proceed from here, then, is up to us. I say this for the sake of those of us who attended the seminar and also to place on record the manner in which the Government of Trinidad and Tobago received us. We were very happy to be there, and they helped us with our work on a full-time basis, except at night, when we went to hear calypso music.

The Chairman: I myself was at the seminar and experienced its spirit and congenial atmosphere, so I understand what the representative of Tanzania means and in particular what gave rise to the issues that have been raised. It is good that these views have been expressed, because when the report is adopted the record will also reflect the reservations of delegations, which are useful as well.

Mr. Jenie (Indonesia): My delegation also had the opportunity to attend the seminar in Trinidad and

Tobago. We feel it was useful and deserves serious and further consideration by the Committee.

Though we deem the results of the seminar to be generally positive, we do note that some paragraphs contained in the report have attracted the attention of the members of the Committee, and we find some of the paragraphs controversial. My delegation expressed its reservations at the seminar regarding the reference made to one of Indonesia's problems, and we have also provided the Committee with a memorandum on that matter, so I do not think it necessary for me to restate our position now.

As far as the list of participants is concerned, we note a departure from the Committee's past practice in that the majority of the representatives of the Non-Self-Governing Territories were not present. In a way, this made the result less significant. But I would venture to suggest that the Committee adopt a different approach to the report of the seminar. Of course, we should take note of the result of the seminar and use it as an input in our future work. We are not saying the result should be discarded; of course we have to consider it. However, if we adopt it, we have to discuss it all over again, and we have to give delegations the opportunity to have their views reflected in the document. We think that it is better for us to leave the seminar as an independent and separate forum. The report is there. Whenever the Committee needs to refer to the seminar, it can do so. We think, therefore, that we should change our approach and take note of the report.

The Chairman: I should like to comment on the question of inviting the representatives of the Non-Self-Governing Territories. Before the seminar, invitations were sent out in the usual manner to the administering Powers, with the understanding that the invitations would be handed over to those representatives. We were expecting to see them in Port of Spain, and, quite frankly, it was not the Committee's fault that they were not there.

Mr. Doudech (Tunisia) (*interpretation from French*): In the view of my delegation, the report adopted at the seminar in Trinidad and Tobago is of major importance, and its recommendations are most useful for the future work of the Special Committee. The ideas developed during the seminar seem very reasonable. We think they should be reflected in the resolutions adopted by the Committee.

We are pleased that the Committee has begun to advance new ideas, which will undoubtedly speed it in its progress towards the elimination of colonialism.

We hope that the ideas and recommendations of the seminar will strengthen, not weaken, consensus in the Committee. My delegation is ready, as ever, to participate in improving and adapting the work of the Committee so that the Committee can continue to adopt resolutions that take account of developments in decolonization. I am certain that all members of the Committee agree with that perspective. There was much discussion at the seminar, during which we always took that approach; I am sure that all members will agree with that view.

Let me comment on one matter we thought presented difficulties during the seminar, although after intensive consultations we agreed to include it in the document. I refer to recommendation 17 of the report of the seminar. As previous speakers have noted, it would appear that this matter poses a procedural problem and does not really give the Committee a chance to consider the question. The question of Gibraltar has been considered by the Committee, which has never been made aware of the content of that paragraph; it views the consideration of this question to be beyond its competence. Hence, I view this paragraph to have been deleted de facto.

For the sake of coherence and logic in the work on which we are embarking, my delegation does not think it would be useful to retain this paragraph. This idea is already mentioned in the report's summary of statements and discussions, which notes that a view was expressed on the question of Gibraltar. As I have said, the Special Committee is not competent to consider this matter.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I get the impression from this exchange of views that all speakers are aware of certain complicated issues in the recommendations of the seminar. My delegation proposes that we go quickly through these paragraphs and see what we can do to improve them, thus completing our work on this document in a constructive way. Could the Chairman ascertain whether delegations would want to adopt that procedure?

The Chairman: Although we may want to sanitize the report, we must be careful not to reopen a whole debate, which might lead to interminable discussions. As I said earlier, I was hoping that we might have a free and frank discussion of the report, particularly its conclusions and recommendations, which would enable us to place on record the reservations and new insights of delegations.

I was going to make another suggestion, which has already been made by the representative of Indonesia: that instead of adopting the report, we take note of it. The Committee may wish to discuss this also. But I implore members not to reopen the whole debate on what needs to be deleted and what needs to be retained. The report is a true reflection of what transpired in Port of Spain. If we have been misled, it would be nice for the Committee to draw attention to that fact. It will be noted, so that seminars will not make the same mistakes in future and the Committee will not be misled in that manner.

I appeal to members that when we have these discussions, we record the reservations, but either adopt or take note of the report.

I call on the representative of Portugal.

Mr. Gamito (Portugal): I wish once more to underline the following facts: Portugal was invited by the Chairman of the Special Committee to attend the seminar at Port of Spain. Portugal, in its capacity as administering Power of the Non-Self-Governing Territory of East Timor, was asked by the Chairman of the Special Committee to appoint a representative of East Timor. We did so, and the representative of East Timor spoke at the seminar in accordance with its rules of procedure. The fourth paragraph in the summary of statements and discussions — not, I stress, the conclusions and recommendations — in the report of the seminar was adopted by the drafting committee of the seminar and subsequently by the seminar itself.

The reference to East Timor contained in that paragraph is merely the expression of the commitment of the parties involved in the process to continue their ongoing dialogue in search of a comprehensive and internationally acceptable solution to the question of East Timor.

My delegation is of the opinion that the Special Committee cannot ignore what happened in the seminar and therefore should not delete the paragraph on East Timor included in the text of its report.

Mr. Jenie (Indonesia): In my previous intervention, I tried to be very careful in conveying my proposal. I never mentioned names. But now that my colleague from Portugal has stated his position, I feel compelled to say that even though the paragraph seems to be positive in supporting the negotiations held between Indonesia and Portugal under the auspices of the Secretary-General, it contains a statement of recognition that we cannot accept. We expressed our reservations on this issue at the seminar.

Secondly, the delegation of Portugal referred to the participation of an individual whom he considered to be a representative of East Timor. This represents a departure from past practice as regards the invitation of representatives of Non-Self-Governing Territories. We all are aware that the Committee has set the rules of procedure and guidelines for these invitations, to which in the past we have strictly adhered.

Again, I would reiterate our proposal not to open the debate on the substance of the report, because we are not at the seminar. The seminar is over, and we are in New York, in the Committee. We think, therefore, that it would be a wise and prudent approach to just to take note of the report.

Mr. Yarka (Papua New Guinea): Mr. Chairman, I should like briefly to comment on your earlier statement.

The representative of Papua New Guinea was the Chairman of the Drafting Committee that produced this report, which, as you have correctly stated, Sir, represents our collective views on the seminar, which adopted it. We also would ask the members of the Committee not to open the debate again on this report. As you, Sir, rightly noted, the comments made by the representatives of Cuba, the Russian Federation, Tunisia, Indonesia and a few others are very pertinent. I also think, as my good friend from Tanzania said earlier, that although such reservations were expressed, the report was adopted in the context of the atmosphere that prevailed in Port of Spain.

We thus wish to support you, Sir, in asking members of this Committee to include this important point as a reservation, so that in future other regional meetings, in New York or elsewhere, could take note of this reservation and avoid the misunderstandings that prevailed this time. I should like also to state my support for the sentiments expressed by my colleague from Indonesia. If the Committee would consider taking note of this report, we would go along with that.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I shall be very brief. The delegation of Cuba cannot fail to avail itself of this opportunity to assure our friend, the representative of Tanzania, the representative of Papua New Guinea, and all the members of the Bureau and the Committee who participated in the Trinidad and Tobago

of our deep appreciation for their contributions to the seminar. We are certainly aware of the professionalism that characterized those debates and the process of preparing this report. For this reason, Sir, we support your proposal.

At the beginning of our discussion, we said that it would be a good idea if all reservations, questions and comments on the report appeared in the verbatim records. We do not think that it would be wise to re-edit the scenario of the seminar or to become involved in a substantive debate of issues taken up in the report. We propose, therefore, that note be taken of the report of the seminar, together with all reservations and opinions that have been expressed here.

Mr. Samadi (Islamic Republic of Iran): A seminar has been held, and we have a report on it. It is clear that we are not obliged to go into its recommendations in detail. The report was adopted by consensus at the seminar, notwithstanding the variety of views expressed. The report is the result of the seminar. I think, then, that the best and wisest approach would be, as you suggested, Sir, simply to take note of the report, as other delegations have proposed. This would be the best way, and if we want to note the reservations made today, they can be included in the report of the Committee to the General Assembly.

The Chairman: I call on the representative of Portugal.

Mr. Gamito (Portugal): Like previous speakers, we are agreeable to simply taking note of the report.

Ms. Yao Yuhua (China) (*interpretation from Chinese*): As a member of the Special Committee, China participated in the seminar held in Port of Spain. Some of our colleagues have mentioned procedural questions related to the report on the seminar, which was adopted by consensus. I wish to reiterate that in the course of our discussions on the report, different views were expressed. However, in the end, it was adopted by consensus. The Chinese delegation thus wishes to support the Chairman's proposal to take note of the report and not to discuss it in its entirety.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): As I understand it, a general consensus is developing in the Committee in favour of adopting the seminar's report and to take note of the decisions it contains. My delegation is perfectly satisfied with this, but is somewhat concerned by the fact that this document will be issued with certain contentious statements that are outside the Committee's competence. People will wonder why these contentious statements are included among the recommendations.

I have already stated that my delegation, concerned only with enhancing the Committee's prestige, does not intend to stand in the way of acceptance of the Chairman's proposal on this matter. We would only express the hope that participants in any future seminar will take more carefully into consideration the procedural and legal aspects of the matters they are discussing, in recognition of their importance to the work of our Committee.

Ultimately, we have a perfectly workable procedure for including interesting but contentious elements not in the "Conclusions and Recommendations" section but in another section of the document, the "Summary of Statements and Discussions". But that is all in the future. At this stage, my delegation is ready to support the suggested approach.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): I shall try to be brief, given the lateness of the hour and the fact that there are items remaining on the agenda.

United Nations tradition holds that, during seminars organized by the Committee, the Committee should take note of the report issued by the seminar. That has been the customary practice for several seminars, and so it should be in this case.

This seminar was organized by the Committee, so it is self-evident that the Committee should take note of its report. The Chairman's proposal is therefore entirely valid and in keeping with Committee's practice. We wish to support that proposal.

The Chairman: May I take it therefore that the Committee takes note of the report, it being understood that the reservations that have been expressed by members will be reflected in the verbatim records of the meeting?

It was so decided.

Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination (A/AC.109/L.1836)

The Chairman: The Special Committee has before it a draft resolution on this item. Does any delegation wish to comment on the draft?

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): The practical implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples is very important to my delegation, since, as is well known, my country was at the very forefront of the development and adoption of that document. Its implementation allowed hundreds of millions of inhabitants of former colonial territories to exercise their inalienable right to self-determination.

The most significant contribution to that noble endeavour was, without any doubt, made by our Committee. However, we seem to sense that, in the past several years, the Committee's activities in the two matters before us have come to involve a certain amount of creative stagnation and growing ignorance of contemporary issues. This is inhibiting the Committee in the implementation of its mandate. Evidence of this is to be found especially in the fact that, despite the desire to seek pragmatic, flexible and innovative approaches — the need for which has been reiterated by many members here — the Special Committee has unfortunately reverted to considering very complex, dynamic and developing issues on the basis of its previous and hopelessly out-of-date resolutions and decisions.

In this connection, given the well-known principle that the old must be discarded in favour of the new, and in order to stimulate the Committee's creative potential, I should like to remind our members of the key functions that were given the Committee when it was established by the General Assembly. I have before me several documents. One is General Assembly resolution 1654 (XVI) of 27 November 1961, entitled "The situation with regard to the Declaration on the granting of independence to colonial countries and peoples". In this important document, and in particular its paragraph 4, the Committee's tasks are set out, the first being to examine the application of the Declaration to every specific Non-Self-Governing Territory.

It follows from paragraph 2 of resolution 1654 (XVI) that it is the States concerned that are to take action without delay with a view to the faithful application and implementation of the Declaration.

Other publications include many with which members will be very familiar, such as "Objective Justice: A United Nations review dedicated to the promotion of justice through self-determination of peoples". We find there a detailed study of the mandate of the Special Committee. Its twelfth edition, of 1 June 1987, was a special issue on the Non-Self-Governing Territories; it notes that a major obligation of the Committee is to consider annually the list of Territories to which the Declaration is applicable.

It is well known that the Committee has stubbornly refused to carry out that very important task. At the insistence of a number of members, the one hundred and second report of the Working Group was adopted without the examination of the list of Non-Self-Governing Territories proposed by the Russian Federation. I reiterate that my delegation considers this to be very important with respect to the Committee's implementation of its mandate, and we shall certainly return to the question of the applicability of the Declaration at the Committee's resumed session.

The discussion at the current session has clearly shown that the principal basis of the Committee's problems and of the disagreements among its members, which are preventing the Committee from carrying out constructive work, is that some members, unfortunately, interpret the mandate of the Committee in an excessively flexible and arbitrary way. Because of this, a number of delegations — and not only Administering Authorities — have felt obliged to resign from the Committee.

It is curious to note that resolution 1654 (XVI) of 27 November 1961 characterizes delays in the application of the Declaration as a continuing source of conflict within the Committee and as impeding international cooperation on decolonization. To eliminate such disputes and discord, which clearly hamper the effective implementation of the Committee's mandate, my delegation requests the Chairman to invite the Legal Counsel, Mr. Hans Corell, or his representative, to come to the Committee and provide an objective and authoritative explanation of the terms of our mandate and of the tasks that directly emanate from it. If for any reason that cannot be done today, my delegation will continue, in writing, to urge the Chairman to request the official opinion of Mr. Hans Corell on this matter.

This is particularly important when we consider that there is little time remaining before the year 2000, when the Action Plan elapses. The Committee has no right to waste its time in disputes, but should carry out its actual mandate. In that connection, we think it necessary to establish a precise timetable for securing a response from

Mr. Corell: perhaps by the September resumption of the Committee's work on decolonization.

I turn now to the two draft resolution on the activities of foreign economic and other interests and the draft decision on military activities. I shall discuss them together.

The publication I have already cited, "Objective Justice", says that the Committee should examine specific activities of foreign economic entities in Non-Self-Governing Territories, as well as military activities and preparations by Administering Authorities, that impede the process of complete decolonization. It also specifically says that the Committee should base its work on information provided under Article 73 (e) of the Charter. It notes that the applicability of the Declaration should be regularly examined and that the Committee should adopt recommendations to ensure the implementation of the Declaration.

In its activities in the Committee, the delegation of the Russian Federation is and will continue to be guided consistently by those precise tasks and standards.

As members know, the working papers prepared by the Secretariat inform us that the remaining Non-Self-Governing Territories are developing successfully and thus moving towards self-determination only where there has been the active involvement of foreign economic entities through substantial foreign investment. The documents also note the valuable role played by foreign economic entities, which are sometimes the sole source of income and an important source of jobs for a Non-Self-Governing Territory.

In fact, this situation can be found in all the Territories — for example, Anguilla, where the rate of growth is 7 per cent per annum, which is higher even than that achieved by a highly industrially developed country; the Cayman Islands, which has the highest standard of living of all the countries in the Caribbean basin; the United States Virgin Islands, which earn more than $900 million a year from tourism; the Turks and Caicos Islands, where almost 1,500 insurance companies are registered although the population is just 12,000; the British Virgin Islands, where 40 per cent of government income is derived from foreign economic and business interests; Bermuda, with a population of only 58,000, where, in 1993 alone, foreign investment, not only from the United States but also from the Near East, Africa, Asia and Latin America, amounted to about $600 million, providing the Bermuda authorities with an income of about $620 million.

At the same time, the working documents provided by the Secretariat do not contain a single indication that foreign business activity has had any negative impact on these Territories. Nor is there any indication that foreign business interests inhibit the right of the peoples of the Non-Self-Governing Territories to self-determination or deprive them of the right to exploit their own national resources. To the contrary, these documents express regret that in many Territories foreign business interests are not active enough, and Governments are doing all they can to attract more foreign investment.

The same applies to the military activities of the Administering Authorities. As is known, these States are either reducing their activities in this regard, as in Guam, the United States Virgin Islands and Bermuda, or radically cutting their military presence, as in Gibraltar. This means eliminating or reducing bases — something that has always been done with due regard for the local population.

I should like to emphasize that the facts I have just recounted were taken from working documents and that my delegation has not had recourse to any other information. Of course, we realize that the author of the draft resolution submitted under your name, Mr. Chairman, might — unlike myself — be in possession of some other reliable information that enabled him or her to produce it. My delegation therefore appeals to you, Sir, to provide us with such additional information so that we may see what was the basis of the paradoxical formulations that are contained in the draft submitted in your name.

To make our work easier, it would be a good idea if information in support of each specific paragraph in the draft resolution, as well as the draft decision, were provided successively by you, Mr. Chairman. This should be done before the discussion on each paragraph. It would also be a good idea if, before each such discussion, the Secretary of the Committee were asked to communicate to members any information obtained by the Secretary-General under article 73e of the Charter. In so far as is possible, such information should constitute the basis of the Committee's examination of all the issues on its agenda.

My delegation is ready to take part in a paragraph-by-paragraph discussion of the draft resolution and draft

decision on the foreign economic interests and military activities and arrangements of colonial Powers.

As all other members of the Committee will no doubt recall, my delegation — because we had no independent information on these two issues, other than that contained in working documents of the Secretariat — proposed that the discussion of this issue be postponed and that the Secretariat be asked to prepare the necessary information. Unfortunately, a number of delegations ignored our appeal and insisted on an examination of last year's draft resolutions, without any sort of informational basis.

We are convinced that the draft resolutions and decisions adopted by the Special Committee should be specific, clear and precise. If any Administering Authority or foreign business interest, by its activity, is indeed impeding the implementation of the right to self-determination, we should say so clearly and precisely, giving specific facts as to where and how this is happening. In the view of my delegation, if it does not have such facts the Committee, if it is to be serious about the discharge of its obligations, should not work on the basis of suspicion, guesswork or hypothesis.

My delegation believes that such an approach would be improper and inappropriate, both politically and from the point of view of the interests of the peoples of the Non-Self-Governing Territories themselves.

In adopting a resolution of somewhat general impact and, some have said, primitive nature — which in my opinion is defamatory — as that submitted by the Chairman, the Committee will in fact inflict substantial political injury on itself. Adopting such a resolution would return us to the cold war, with its whole syndrome of pointless rhetoric. It would thereby discredit the Committee's useful work to the benefit of the propagandistic ambitions of some of its members.

As in previous years, this year we have enunciated our position clearly and unambiguously. We will further elaborate our position at forthcoming meetings of the Special Committee and of the General Assembly itself. My delegation hopes that my country's position will be taken into account by other members of the Committee as they consider these issues. It has contributed some elements to the draft resolution on foreign economic and other interests and the draft decision on military activities and arrangements by colonial Powers. We wish to stress once again that these elements contain nothing new. They merely reflect discussions that have taken place in the Committee; many of them have been published in other documents, including the recently distributed report of the Caribbean regional seminar.

My delegation therefore proposes that, in considering these two drafts, we adopt the approach I have suggested. Specifically, prior to the examination of each paragraph, we should receive precise information regarding the basis on which it was drafted. We would request any similar information which the Secretariat might receive under Article 73 e of the Charter. We also request a thorough and comprehensive explanation by the Legal Counsel with respect to the Committee's mandate. Furthermore, my delegation will insist that, in the voting on these drafts, we take a separate vote on each paragraph.

The Chairman: I wish to acknowledge and welcome the presence in the room of Ambassador Pursoo, who unfortunately left us as Chairman of this Committee in Port-of-Spain.

As regards the invitation to the Legal Counsel, he has asked to make a written submission, which would facilitate the action that needs to be taken.

As to the authorship of the draft resolution, I only need to say that the representative of the Russian Federation was with us in the room when the consensus decision was made to return to the two old resolutions that would constitute the basis of our discussion today. As for his proposed approaches, I leave it to the rest of the Committee to decide how we will proceed.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): There is very little time remaining to make statements, which would not help our work. General statements should be made in the Fourth Committee or the General Assembly. The item on the agenda is the discussion of a draft resolution and a draft decision, not speeches. If we want to make speeches on the mandate and work of our Committee, we will require an additional session lasting several months. I therefore urge representatives to respect the time available to us and our work and its rationalization.

As for the statement made by the representative of the Russian Federation, I wish to make certain comments on one single issue. He asked the Legal Counsel to be present to explain aspects of our work. But the Legal Counsel would not address the resolutions of the General Assembly, because that does not fall within his purview.

He speaks only when there are disputes on the rules of procedure. He intervenes only when a representative objects to something which the Chairman has approved.

But this is a different matter, because most representatives here agree on the clarity of our mandate. The resolutions are equally clear. We therefore do not require the presence of the Legal Counsel. No single delegation which entertains doubts concerning the legality of the Committee's work can call for the presence of the Legal Counsel. I do not wish this to be discussed now, because if we are to work practically and pragmatically, we must follow United Nations procedures. Wasting time on discussions that do not fall within the Committee's competence would have a negative impact on the results of our work.

I urge members not to engage in such a discussion of details. Let us discuss the drafts before us objectively and consider our Committee's mandate and new amendments. Let us decide how we shall proceed to adopt these drafts and avoid any useless discussions at this time.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): For days now, the representative of the Russian Federation has disrespectfully insinuated to delegations in this room that they are using Committee information for propaganda purposes. Of course, we cannot speak for other delegations, but as far as Cuba is concerned, we could have answered days ago that propaganda is not really our preference — at least these days. But we have evolved and learned how to give matters their proper weight, and that is why we will not respond to the representative of the Russian Federation.

Concerning the proposal that we request the opinion or the presence of the Legal Counsel, we wish to point out that we fully endorse what has just been said by the representative of Syria. The delegation of Cuba has before it the relevant General Assembly resolutions, which define the clear mandate of the Committee.

Yes, we can say that we have lobbied, because we do have friends in the United Nations, many of whom are awaiting the outcome of the Committee's work. Rumour in this Organization certainly does not have it that this Committee does not respect its mandate — on the contrary. Expectations do exist, but that is because very few members of this Committee want to revise the mandate established for it by sovereign decisions of the General Assembly. We see no need, therefore, for the presence of the Legal Counsel, a respected presence but one that is totally unnecessary at this time. Indeed, he would not have the power to invalidate or interpret clear-cut General Assembly resolutions that are not open to question, even with respect to the list of Non-Self-Governing Territories. In this connection, two relevant resolutions exist, which my delegation mentioned earlier and which require no revision whatsoever. We are opposed to requesting his presence.

As to the drafts before us, on military activities and on foreign economic activities in the Non-Self-Governing Territories, we wish to thank you, Sir, and the Secretariat, because we have finally received these documents, whose distribution you had been requesting since last Friday. We wish also to thank you for noting in such a dignified manner and so opportunely that these documents represent your contribution to the work of this Committee.

Unfortunately, some delegations apparently have somewhat delayed reactions. We would just like to point out that as far as Cuba knows, there is no hidden information in these drafts. They simply represent your contribution, Sir, to the work of the Committee and reflect the status quo. It is likely, or so we are constantly told, that the Committee is deadlocked. Unfortunately, it may not be the Committee but events and international realities that are at an impasse, and that is why the Committee has had to preserve its language.

We are pleased that there are two drafts. We consider that for procedural reasons, these are the only official working documents to be circulated at this meeting and that they form the basis for negotiations. For procedural purposes, we could try to adopt these two documents by consensus, or we could proceed to a vote. However, we are not talking about a paragraph-by-paragraph vote, because if we were to be confronted with experts in procedural matters, we would tell them that getting involved in a paragraph-by-paragraph vote would mean for us substantive negotiations with concrete proposals that would go completely against the draft resolutions. Thus one option could be a vote, but not a paragraph-by-paragraph one, although we think that the constructive spirit prevailing in this Committee surely would mean that we could adopt these resolutions by consensus.

Mr. Mwambulukutu (United Republic of Tanzania): Let me also reiterate my delegation's thanks for the manner in which you, Sir, have been conducting the work of this Committee, and especially for having

come to our rescue in salvaging a situation that appeared to be getting out of hand, when in fact a solution was within our grasp. Whatever misunderstandings arose today, I do not think they were your responsibility. We all decided very clearly that we wished the Chairman to produce the drafts, and both of them are before us now.

Of course, Mr. Chairman, you have been very generous to the representative of the Russian Federation. Without going into too much detail, let me say that a statement spanning almost an hour, I believe, substantive as it may be, is not worth our while, especially at this stage when we are on the verge of finalizing the work of this Committee for the benefit of all Member States of the United Nations.

I have no comments on what the representative of the Russian Federation said, since he was reading from a statement. My delegation would like to know exactly what was said, but so far I have not gleaned anything from his statement. However, for the sake of the work of the Committee, my delegation would like to say the following.

The right to self-determination has been the focus of many General Assembly resolutions urging colonial authorities to expedite their efforts to promote the political, economic and social advancement of the inhabitants of the Non-Self-Governing Territories with a view to leading them towards an act of self-determination and independence and to safeguarding their rights. To this end, the administering Powers are required to provide information under Article 73 (e) of the Charter. The Assembly has time after time affirmed the rights of the peoples of the Non-Self-Governing Territories freely to determine their future political status, and United Nations Member States are called upon to eradicate colonialism by the year 2000.

We have two draft resolutions before us. The first is on the activities of foreign economic and other interests which impede the exercise of the right of self-determination by colonial Non-Self-Governing Territories in the Caribbean and the Pacific. This draft resolution is not as controversial to my delegation as some might say. We see nothing controversial about requesting the administering Powers not to violate the Charter by exploiting the natural resources of the inhabitants of the Non-Self-Governing Territories or in any way subordinating their rights and interests to foreign economic and financial interests.

Is it really wrong to urge these Powers to ensure that acceptable working conditions prevail in these Territories? This Committee's role is to assist the United Nations in achieving decolonization by the year 2000; it is more than willing to work with the administering Powers and the peoples of the Territories. We believe that many of these misunderstandings would be cleared up if the administering Powers overcame their suspicions and came on board, participated freely and frankly, and spoke for themselves before the Committee.

Having said that, I say to the Committee that its credibility will remain intact so long as it sticks to the principles and mandate for which it was created. We should not allow ourselves to be sidetracked by issues that are not exactly relevant to the Committee. Hence, my delegation is willing to look at this document and to abide by any sensible decision we may reach at the conclusion of our work.

Mr. Doudech (Tunisia) (*interpretation from French*): I want to stress the importance of the questions we are addressing now in our attempt to reach a decision on the two items concerning military activities and foreign economic interests. My delegation would not have made a statement had it not noted that is a difference of opinion on how we should proceed on the two draft texts. I should note that I had my first sight of the two texts only today. It is my impression that they are the same as last year's; my delegation would have preferred them to take account of the report of the seminar held in Trinidad and Tobago and to incorporate some of the ideas and recommendations set out there.

I think all delegations feel that the Committee should continue the efforts it has been making for more than 30 years. It is also generally agreed that we must find a way to adapt the Committee's resolutions and decisions to developments in the situation in the Territories, especially those relating to military activities and foreign economic interests. Unfortunately, time is limited, and we are unable to make the necessary changes or to try to reflect in our texts the ideas advanced at the regional seminar.

I do not think we are obliged to take a decision today, or to adopt the two draft texts in their present form. As the representative of Cuba has said, there would have to be a request for a vote on the two texts; we would not like this to take place. We think the best thing would be for the Committee to adopt the draft texts by consensus, as it has done in the past. There has been some cooperation, and a certain convergence of ideas on the texts we have considered; there have been constructive discussions. Why can we not conclude the

session by adopting all our resolutions and decisions by consensus, if possible?

I repeat that in our view we would need to amend the draft resolution and the draft decision before us, on the basis of the outcome of the Trinidad and Tobago seminar; for this we need more time. Delegations do not yet have their amendments ready; I have discussed this with several delegations, and all agreed that the two draft texts must be adapted to new developments in the situation in the Territories. We would like the Committee of 24 to meet before the convening of the fiftieth session of the General Assembly to discuss these two draft texts, thus providing time for delegations to carry out consultations before the Committee takes a decision.

For my part, I can say that we would need to consult with our capital on these two texts. My delegation feels it would be wise to give the Committee more time to consider these two matters, and not to take a decision today.

Mrs. Khan-Cummings (Trinidad and Tobago): I want to voice my support for the views expressed by the representative of Tunisia. I myself was hoping that the results of the constructive seminar we had in Trinidad and Tobago, where we discussed a number of new ideas and new approaches, would be reflected in some of the draft resolutions the Committee submitted to the Fourth Committee. I think that these two draft texts fall within that category; we think they should reflect some of the elements of the presentations made by representatives of Non-Self-Governing Territories. We recognize that the thrust of the texts needs some amendment as well. I would find it hard to take a decision on these draft texts today; I think we need some more time to do this.

Let me say something about the report of the seminar. Although I saw why the Committee had to take note of it, because of some contentious areas, a number of very important recommendations were made at the seminar with respect to the Non-Self-Governing Territories, on which I thought we should take some action. We attached a great deal of importance to the seminar in terms of the mid-term review of the Plan of Action of the International Decade. Merely taking note of the report means that all the work we have done is more or less placed on hold; I thought we might at least have gone further than merely taking note of the report.

Today is our last day of work, and I do not know if we will have time to come up with any more draft resolutions to put before the Fourth Committee, but I think we need to focus on some of the Seminar's discussions and recommendations to see what aspects of them we could submit to the Fourth Committee, so that we can have made some progress, and so that the mid-term review will have some significance at the time of the fiftieth anniversary of the United Nations. I would not like it to be something that we have merely taken note of and placed in the archives of the General Assembly.

The Chairman: I hope this will not be our last meeting. I hope we will be able to meet at the end of August or in September, which should give us an opportunity to look more critically at these areas.

Mr. Samadi (Islamic Republic of Iran): I would have wished that, instead of hearing general statements, we had spent the past hour discussing the drafts and making any changes acceptable to delegations that wish to adopt them by consensus, as our Tunisian colleague suggested. Unfortunately, we have spent our time without going through the details of the drafts. This was not the wish of my delegation.

Anyway, regarding the issues raised at this session, I fully support the idea of our Syrian and Cuban colleagues that there is no need to consult the Legal Counsel about the mandate of our Committee.

On the matter of the draft resolution and the draft decision, I do not know what decisions the Chairman has taken at this time. But I will cooperate with whatever decision he takes on those two documents. I wish to make it clear, however, that the amendments on the draft resolution and the draft decision, as far as I have heard, are of two different natures. One, as our colleagues from Trinidad and Tobago and Tunisia have suggested, was within the framework of these documents, which is acceptable, I think, to the majority of members of the Committee.

On the other hand, our Russian colleague has presented some non-papers. If we are going to discuss them in the future or however the Chairman decides, I believe that we cannot count on achieving consensus on them. It should therefore be clear from the beginning whether or not we are going to vote on these two documents. My delegation's view is that we should vote on the drafts as a whole, not paragraph-by-paragraph.

The Chairman: Let me just mention at this point that, first of all, we are dealing only with the item on

activities of foreign economic and other interests. We are not dealing with the second item on military activities. Secondly, I was hoping that, on these two remaining issues, we would — as in the past and as has so far been the case in this meeting — have reached a consensus on which we would all have agreed without resorting to a vote.

I was also hoping that, in these two items remaining on the agenda, we would use the thinking that emerged from the seminar in Trinidad and Tobago and integrate it into these two drafts, which unfortunately we did not have time to present in advance. But I was hoping that the thinking in Trinidad and Tobago would have constituted the basis for an amendment to these two documents which I think would have helped us. But I think that it is still not too late to appeal to the Committee to integrate the thinking of the regional seminar into these two drafts so that at least we could conclude this work today by consensus, without resorting to a vote.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I also support the views of those representatives who favour a constructive approach to these two exceptionally important draft documents. My delegation had assumed that we would now have to work on the basis of the Chairman's draft, which, regrettably, was submitted to us only today as an official draft.

We have already indicated our attitude to this draft and I do not wish to repeat myself. I am disturbed, however, to see that we are hereby ignoring an entire series of useful ideas expressed by members of our Committee and at the regional seminar that was held under difficult circumstances but with such great success in Trinidad and Tobago.

It has been said here that the draft we are now considering is a consensus draft. That is not the case. We all know how and with what feverish haste this draft was presented. My delegation's position was that our Committee might perfectly well have tried to work out a sensible draft acceptable to all delegations if the Chairman and the members of the Committee had had time to consult with one another. I also said that it would be very bad for our Committee to adopt this draft and submit it to the outside world, in so far as it would indicate that we are not inclined to take a realistic and sensible view of the ideas which have been advanced here in our own Committee.

I am therefore willing to support any proposal that would enable us to arrive at an acceptable draft. The best way to do this would probably be to hold consultations during which each delegation could make its own constructive contribution. Putting this matter to a vote without attempting to eliminate the prevailing contentions in the Committee would send out an unfortunate political message. My delegation is therefore profoundly convinced that the Committee has not yet exhausted its own creative potential and is perfectly capable of preparing a realistic product which takes into account all the proposals made by various delegations.

The Chairman: I just wish to state that I did not say, nor did I hear anybody say that this draft resolution had been adopted by consensus. What I said and what was said was that yesterday we agreed by consensus, as a compromise, to accept the draft resolution and the draft decision for today's discussion. In any case, let us not forget that these two documents were adopted last year by a vote.

I therefore suggest that if it is the wish of the Committee to integrate the thinking in the Trinidad and Tobago seminar into the two drafts we have consultations. We could meet in the afternoon, carry out the integration exercise and conclude our consideration of this matter to the satisfaction of everyone — if that is the wish of the Committee.

Mr. Viswanathan (India): First, I apologize for arriving so late. I was delayed in the office.

We have reached the stage of having to take a decision. As I see the situation, there are two options. First, if we must have consensus, this cannot be achieved now or even at the meeting this afternoon. Given the divergence of views among members, it will take more than another meeting. That being the case, we might consider the suggestion put forward by the representative of Syria — that a decision be postponed until September.

The alternative is to adopt now the drafts that have been circulated as Chairman's texts. A resolution and a decision in these terms were adopted by a majority by the General Assembly last year, and there have been no significant developments affecting their substance in the past 12 months. However, as you, Mr. Chairman, have said, there was fresh thinking in the seminar held in Trinidad and Tobago. That thinking could be taken into account, but, as we do not have the time at this stage, additional input, modification and amendment could be considered in September, or by the Fourth Committee.

We could adopt the two drafts now and think about new elements and changes in September.

The Chairman: I thank the representative of India for his suggestion.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): In our view, the suggestion that the representative of India has just made is particularly wise and timely. It precisely reflects the status of our discussions. We fully support the proposal that the Committee adopt the draft resolution and the draft decision on the basis of your arguments, Mr. Chairman, and consider at a later date — probably in September — the new ideas emanating from the seminar in Trinidad and Tobago.

Mr. Samadi (Islamic Republic of Iran): I should like briefly to support the proposal of the representative of India. During the General Assembly session and the meetings of the Fourth Committee there will be time to discuss these matters thoroughly.

Mrs. Khan-Cummings (Trinidad and Tobago): Having listened very carefully to the representative of India, I think that he made two proposals. The first was that, as we do not have sufficient time, action be postponed to a later date. You, Mr. Chairman, have said that there may be opportunities for further meetings. I cannot see the Committee making a decision this afternoon. That is a little too ambitious.

I am in favour of the first option suggested by the representative of India, rather than his second, which has been supported by the representatives of Cuba and Iran.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I fully support what has just been said by the representative of Trinidad and Tobago. It is pretty obvious that, even if we were to try to proceed on the basis of the existing drafts, we could hardly be expected to finish the task today. Quite honestly, I do not understand why the Committee should be in such a hurry to take decisions when it is perfectly obvious that, as the draft resolution and the draft decision are very important, we shall have to proceed very tentatively and cautiously.

In my delegation's view, the Committee can only benefit by deciding to devote the time remaining before the next series of meetings, in August or September, to real work on the two drafts. This would demonstrate to all how responsible is our approach to these decisions. Haste in the process would be of very little benefit to us. In the view of my delegation, nothing would be gained by making a decision today. Indeed, we would lose a great deal.

Therefore my delegation requests that you, Mr. Chairman, and the other members of the Committee consider favourably the proposal of the representative of Trinidad and Tobago, which we regard as a very important and useful one that would give the Committee a real chance of reaching agreement in determining its attitude to these two important issues.

The Chairman: I appeal to members of the Committee to take account of the fact that we have a time constraint.

Mr. Jenie (Indonesia): The preference of my delegation is that the Committee's work be completed today. We are therefore very much in favour of the second option offered by the delegation of India.

If we adopt the draft resolution and the draft decision now we shall still have some time to digest the results of what transpired in the Trinidad and Tobago seminar. And we can return to these matters at any time in the future. In the past the Committee has reconsidered resolutions in the light of recent developments. Thus, there would be no harm in our acting now and coming back to these questions at a later date.

Ms. Yao Yuhua (China) (*interpretation from Chinese*): As we have already spent so much time discussing the draft resolution and the draft decision, the Chinese delegation hopes that they can be adopted at a convenient time.

I should like to make a suggestion, which may or may not be helpful. We suggest that the Committee could meet again in a few days' time, as some delegations would like an opportunity to receive instruction from their Governments.

I would suggest that we extend our session by one day or one morning so that after negotiations, we could adopt by consensus the draft resolution and the draft decision, or we could put them to the vote, as we did last year.

Mr. Al-Attar (Syria) (*interpretation from Arabic*): I really do not see any difference between the two proposals made by India. If memory does not fail me, at the last two sessions, after adopting two drafts at the meeting, the Committee conducted consultations in order

to introduce amendments to those drafts. The debate was reopened, and those amendments were introduced. That is what happened at the last two sessions, so I see no difference between the two proposals from a practical standpoint.

Our Committee can adopt the two drafts at this meeting, it being understood that the Chair and members could conduct consultations to review the two drafts to see if amendments should be made, taking into account the conclusions of the seminar and contacts. I really see no difference between the two proposals — to adopt the drafts now or hold the discussion in abeyance until September. The Chair may prefer one of the options, but in my view this is a situation in which both proposals have the same goal.

The Chairman: Let me assure the representative of Syria and the Committee that I have no preference in this respect. I stand to be guided by the entire membership of the Committee.

Mr. Mwambulukutu (United Republic of Tanzania): I shall be very brief and say only that I am in favour of the proposal, made by India and supported by others, to adopt the Chairman's draft and then postpone discussion on it to a later date, before the fiftieth session. This would allow for consultations to take place so that amendments and changes could be made to reflect the current situation, including our views on the Trinidad and Tobago seminar and other developments.

The Chairman: I should point out that there is a particular implication if we adopt the two draft resolutions now: we could not take them up again, except to propose amendments in the Fourth Committee, so we need to consider this carefully. We can defer adoption of the two drafts in the hope that we could consider these issues again in September and then adopt the texts before taking them up in the Fourth Committee.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I want to say straight out that I do not quite understand some of the proposals and views expressed here in this Committee. It is perfectly clear that there is a sense in the Committee — and almost everyone who spoke has said this — that the two drafts do not entirely correspond to the recommendations made and considerations expressed by the members of the Committee here and at the Trinidad and Tobago seminar. What is the purpose, then, of adopting these draft resolutions now? How would we benefit?

Probably the best way to proceed would be on the basis of the Committee's understanding of the need to amend the drafts. We should take a decision now to postpone discussing them in order to give us all time to consult. I do not understand the purpose of taking decisions on these documents now and then submitting amendments a month later. This seems entirely illogical from the point of view of the standard practice of the Committee.

The Chairman: I have just been reminded that the interpreters have not been authorized to go beyond 1.15. It is now 1.15.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I shall be very brief. We are getting the feeling that we are going around in circles. The Secretariat probably has a record of the statements that have been made, either pro or con.

We believe that the prevailing opinion in this debate is not that we should not adopt the drafts at this time or that they do not agree on the results of the Trinidad and Tobago seminar. If we are trying to be faithful to the outcome of our debate, which I do not think is subject to any interpretation, we could have taken note of the delegations — and there are several — that have said we could adopt the drafts now and take into account the results of the seminar later on.

Mr. Chairman, you mentioned the possibility of referring the subsequent debate to the Fourth Committee. The problem here is that we do not now have time to analyze these drafts because procedural issues have prevented us from doing so. Since Friday morning we have been trying to discuss and substantively negotiate these drafts, but it has been impossible. We have been flexible, even setting aside the entire procedural history — of which Committee members were not informed in a timely manner — underlying this question.

If we wish to be faithful to the views expressed here, many delegations have said that they prefer the second Indian proposal: to adopt the drafts and at a later date discuss the amendments that are put forward, or whatever seems wise as far as the Trinidad and Tobago seminar is concerned.

The Chairman: In view of the time, I would suggest that after Tunisia speaks, we adjourn until the afternoon, when we can conclude this matter.

Mr. Doudech (Tunisia) (*interpretation from French*): I simply wanted to say that I should like to continue negotiations this afternoon. The views expressed here have been quite varied, and it would be better if the negotiations continued this afternoon.

The Chairman: Shall I appeal to the Committee to adjourn at this point and resume at 3 o'clock?

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I regret this deeply. I do wish to be flexible, but the solution to our problem cannot be indefinitely to postpone meetings. We simply have to take note of the views expressed. If there are three in favour and two against, the three win. If there are five against, then they lose, and so on. We cannot keep postponing the debate, because we have been doing this since last Friday. We will be flexible, Sir, and support you in any decision, but this course of action is not advisable now.

The Chairman: Let me just say that it was not an appeal for postponement. All I was suggesting was that, because of the time constraints, we meet at 3 p.m. to finalize. If we had time now I would say we should continue until we reach agreement.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): If we meet this afternoon, do you believe, Sir, that we will achieve a consensus? I would be very surprised if we did. Perhaps we could meet for five or ten minutes without interpretation and adopt a final decision before the end of the meeting. I believe that we would be wasting time if we held this work over to this afternoon. Even tomorrow we will not have enough time to renegotiate the two drafts. I propose that we continue our meeting for five or ten minutes without interpretation in order to resolve the problem.

The Chairman: I have no problem with that. If it is the wish of the Committee, let us proceed.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I wish to support the Chairman's proposal that we meet at 3 p.m. today so that we can work without pressure, which we certainly can do without, and complete our consideration of these drafts.

The Chairman: Our choice is to continue now but without interpretation or to resume at 3 p.m. with interpretation.

Mr. Doudech (Tunisia) (*interpretation from French*): I believe this is a very important matter. I do not see why we need to take an immediate decision, since there is still an opportunity to develop ideas, find a solution and reach a compromise. Why is there a rush to take a decision right now? I would ask delegations which insist on that position to be tolerant and allow us enough time to pursue our discussions. Why close the door?

There has been a climate of cooperation throughout the discussions at this session, so why not continue in that spirit? The very credibility of the Committee is at stake. When recommendations are adopted at a seminar at which members — even all the members — of the Committee are present, it is not logical to return here to adopt a different resolution that does not take those recommendations into account. If there is any chance of including those recommendations, why close the door, as if making the decision were more important than its content?

I hope that the delegations here that wish to take a decision now will permit an opportunity to include those recommendations, because the credibility of the Committee is now involved. We must keep that in mind.

The Chairman: If it is agreeable, and I hope it is, let us adjourn and agree to meet at 3 p.m.

The meeting rose at 1.25 p.m.